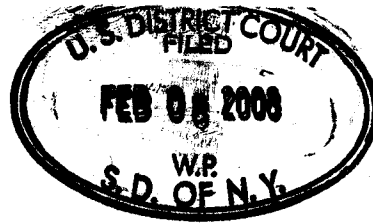


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----x
UNITED STATES OF AMERICA :

Plaintiff, :

v. :

VILLAGE OF PORT CHESTER, :

Defendant. :
-----x

MEMORANDUM IN SUPPORT OF
THE MOTION FOR LEAVE TO
FILE A BRIEF AMICUS CURIAE

06 CV 15173 (SCR)
JUDGE ROBINSON

John W. Carroll respectfully submits this memorandum of law in support of his motion for leave to file a brief of *amicus curiae* in the above-captioned matter.

INTEREST OF PROPOSED AMICUS

The jurisprudence surrounding election remedies following Section 2 Voting Rights Act violations is complex and not fully developed. FairVote is recognized by the Internal Revenue Service as a 501(c)(3) organization whose mission is to educate the public on means of achieving fair representation through voting systems reforms across our country. FairVote has tracked and provided support to many jurisdictions wishing to improve their electoral system and is familiar with the relevant jurisprudence. The organization strives to disseminate relevant information through all available sources, but especially where communities are embroiled in controversies regarding ways

of achieving fair representation for communities of color. This brief will shed light on two potential modified at-large systems as remedies, now that this court finds Port Chester to be in violation of the Voting Rights Act and now that the Port Chester Village Council has voted to propose a modified at-large voting system as a remedy. The matters being litigated in this case fall squarely within the scope of FairVote's educational mission, and FairVote has an interest in seeing the federal judiciary and parties to Voting Rights Act litigation contemplate remedies that provide the most fair representation.

THE BRIEF AMICUS CURIAE IS DESIRABLE AND RELEVANT

Due to the highly complex nature of the law surrounding Section 2 remedies, this brief may help both the parties and the court to more fully craft an effective remedy to the Section 2 violation in Port Chester.

February 7, 2008


John W. Carroll

JL 6910

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